

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking into  
Implementation of Public Utilities Code  
Section 390.

Rulemaking 99-11-022  
(Filed November 18, 1999)

**ADMINISTRATIVE LAW JUDGE'S RULING  
SHORTENING TIME FOR RESPONSE TO MOTION OF  
SOUTHERN CALIFORNIA EDISON COMPANY'S  
PETITION TO MODIFY DECISION 01-07-031**

**Summary**

This ruling shortens the time for responding to Southern California Edison Company's Petition to Modify Decision (D.) 01-07-031 from December 29, 2001 to December 14, 2001.

**Background**

On November 29, 2001, Southern California Edison Company (Edison) filed a Petition to Modify D.01-07-031 (Petition) accompanied by a Motion Shortening Time for Filing and Serving Responses to its Petition (Motion). The Motion requests that the time be shortened from December 29, 2001<sup>1</sup> to December 5, 2001.

On December 3, 2001, the Office of Ratepayer Advocates (ORA) filed a response opposing Edison's Motion and requests that the full 30 days be

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<sup>1</sup> Rule 47(f) of the Commission's Rules of Practice and Procedure provides 30 days for responses to Petitions.

provided for responding to Edison's Petition. ORA's response indicates Edison's Petition includes several anomalous contractual provisions, including a contract with the City of Long Beach requiring heightened scrutiny and a longer review time.

On December 5, 2001, Caithness Energy (Caithness) filed a Response supporting Edison's Petition and Motion for an expedited schedule. Caithness argues that the underlying documents in Edison's Petition have already been approved by the Commission and the expiration of a "Standstill" provision on December 31, 2001 may cause litigation to resume between Edison and Qualifying Facilities.

The date requested by Edison in its motion, December 5, 2001, is already past. It is not reasonable to expect parties, including ORA, to respond in the remaining time before the Commission's December 11, 2001 meeting. However, the matters in Edison's Petition should be addressed expeditiously to reduce the possibility of resumed litigation.

In order to provide parties with some additional time as requested by ORA, and to allow the Commission to act on Edison's Petition in its first January, 2002 meeting, this ruling sets the date for responses to Edison's Petition as December 14, 2001.

Therefore, **IT IS RULED** that:

1. The time for filing responses to Southern California Edison Company's Petition to Modify Decision 01-07-031 is shortened to December 14, 2001.
2. The provisions of Rule 45(f) of the Commission's Rules of Practice and Procedure are waived.

Dated December 7, 2001, at San Francisco, California.

/s/ BRUCE DEBERRY

R.99-11-022 BMD/eap

Bruce DeBerry  
Administrative Law Judge

**CERTIFICATE OF SERVICE**

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Shortening Time for Response to Motion of Southern California Edison Company's Petition to Modify Decision 01-07-031 on all parties of record in this proceeding or their attorneys of record.

Dated December 7, 2001, at San Francisco, California.

/s/ ERLINDA PULMANO  
Erlinda Pulmano

**N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

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